

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: 12/17/03

Division: County Attorney

Bulk Item: Yes xx No    

Department: County Attorney

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**AGENDA ITEM WORDING:**

Approval of code enforcement lien settlement agreement with Daniel & Jennifer Ganim.

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**ITEM BACKGROUND:**

The County had a code enforcement lien arising from a violation involving unpermitted construction/demolition. The Ganim's obtained an after the fact permit 13 days after the fine was imposed but through some miscommunication did not obtain a final inspection. As of September 30, 2003, the fine had totaled \$11,200.00. Because of the Ganim's prompt efforts to obtain an after the fact permit, staff has negotiated a proposed settlement of \$750.00 which represents the daily fine accrued at the point the after-the-fact permit was obtained plus the administrative costs routinely imposed by the Special Master in all cases that are brought forward for a hearing.

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**PREVIOUS RELEVANT BOCC ACTION:**

The Board authorized the County Attorney to initiate collection proceedings in this case 6/18/03.

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS: Approval.**

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**TOTAL COST:**                     

**BUDGETED:** Yes     No    

**COST TO COUNTY:**                     

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes xx No     **AMOUNT PER MONTH**        **Year**       

**APPROVED BY:** County Atty     OMB/Purchasing     Risk Management    

**DIVISION DIRECTOR APPROVAL:**

John D. Collins 11/25/03  
(TYPE NAME HERE)

**DOCUMENTATION:** Included xxx To Follow     Not Required    

**DISPOSITION:**                                     

**AGENDA ITEM #** **R5**

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER  
OF MONROE COUNTY, FLORIDA  
The Honorable J. Jefferson Overby, Presiding**

**MONROE COUNTY, FLORIDA**

**Petitioner,**

**vs.**

**CASE NO.: U1-03-1043**

**DANIEL & JENNIFER GANIM,**

**Respondent(s)**

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

The Petitioner Board of County Commissioners of Monroe County and DANIEL & JENNIFER GANIM, Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$750.00.
2. The property in question has a legal description of LOT 116, PORT LARGO, KEY LARGO, MONROE COUNTY, FLORIDA (RE: 00452470-000000).
3. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit a check in the amount of \$750.00 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien for filing by the Respondent(s) in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.
6. By entering into this agreement, the parties agree to waive any and all claims that either party could have raised and/or potential claims that either party might have been able to raise as a result of the above-captioned code enforcement case.
7. The Respondent(s) warrant that they have had an opportunity to consult with counsel before entering into this agreement.

8. Each party shall bear its own costs and attorney's fees other than as specified in this agreement.

**ATTEST:**

**DANNY L. KOLHAGE**  
CLERK:

**BOARD OF COUNTY COMMISSIONERS**  
**OF MONROE COUNTY**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Murray Nelson, Mayor

Dated \_\_\_\_\_

**DANIEL J. GANIM, Respondent**

\_\_\_\_\_  
Notary Public

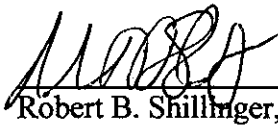
By: \_\_\_\_\_  
(date)

**JENNIFER R. GANIM, Respondent**

\_\_\_\_\_  
Notary Public

By: \_\_\_\_\_  
(date)

**This document was prepared and approved for legal sufficiency by:**

 11/25/03  
Robert B. Shillinger, Esq.  
Assistant County Attorney  
Florida Bar No.: 058262  
P.O. Box 1026  
Key West, FL 33041-1026  
(305) 292-3470